IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl.Misc.No.2081-M of 2007

DATE OF DECISION: MARCH 12, 2007

Gobind Singh and another

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.B.S.Gill, Advocate,
for petitioner No.2.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner No.2-Gurwinder Singh alias Gobind has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.134 dated 14.5.2006 registered under Sections 397/333/186 IPC at Police Station City Hoshiarpur.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 20.6.2006 passed by the Addl.Sessions Judge, whereby bail has been declined to petitioner No.2.

As far as petitioner No.2 Gurwinder Singh alias Gobind is concerned, counsel for the petitioner contends that no specific role has been attributed to him. He further contends that the main accused in this case is Ramandeep Singh, who alleged to have grappled with the police party and snatched the carbine from the police party, which was later on recovered from him. Counsel contends that similarly situated co-accused, namely, Gurmit Singh, has been granted regular bail by this court in Crl.Misc.No.58319-M of 2006. Counsel contends that the petitioner is in custody since 15.5.2006 and till date the charge has not been framed. The trial is not going to conclude soon. The material facts have not been disputed by the State counsel. It is not the case of the prosecution that in case petitioner No.2 is released on bail, he is likely to cause threat to the prosecution witnesses or create hindrance in the fair trial.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to petitioner No.2-Gurwinder Singh alias Gobind, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

March 12, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE